

IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.452 OF 2004

Madhukar Trymbak Hire. ..Petitioner.

V/s.

Padmashree A. Jadhav & Ors. ..Respondents.

Mr.Asmita Sali for M.S.Lagu for petitioner.

Mr.Kuldeep S. Patil for respondent No.2.

Mrs.S.S.Bhende, AGP for respondent Nos. 3 to 7.

CORAM: A.M.KHANWILKAR, J

DATE : JUNE 14, 2006.

P.C. :

1. Request for adjournment is made on behalf of Mr. Lagu for the petitioner on the ground of his personal difficulty. Ordinarily, I would have acceded to this request. However, in my opinion, it is futile to adjourn the present petition.

2. The present petition is for initiating contempt action against the respondents for non-compliance of the directions given by the Court. The respondents in response to the notice have filed affidavit before this Court as back as on 15th October, 2005 asserting the fact that both the directions given by this Court in its order dated 13th August, 2004 have been complied with. It is so

mentioned in paragraph-3 of the reply affidavit. No rejoinder has been filed to controvert that statement made on affidavit by the Assistant Project Officer Mr.Santosh Shankrao Thube. Viewed thus, it is not possible to accept the allegations that the respondents have not complied with the directions of this Court, much less committed wilful disobedience of the order of the Court. As no case for initiating contempt action, dismissed. Notice issued to respondents stands discharged.

3. As this is contempt jurisdiction, it is essentially matter between the Court and contemnors for which reason, inspite of request for adjournment, I have proceeded in the matter.